

Edwards,Michelle

From: Wickens, Ryan [Ryan.Wickens@VigoCounty.IN.Gov]
Sent: Friday, February 26, 2016 10:13 AM
To: Edwards,Michelle
Subject: City BZA March 2nd Meeting take-two
Attachments: City BZA Case 02-16 V. 2814 Hulman Street.pdf; City BZA March 2nd Agenda.pdf

Michelle,

Attached is a copy of the staff report for the 2814 Hulman Street variance petition. Please forward the Case file and agenda to the members of the City Council.

Thank You

Ryan G. Wickens
812-462-3354

FILED

FEB 26 2016

CITY CLERK

**CITY OF TERRE HAUTE BOARD OF ZONING APPEALS
STAFF REPORT**

DATE: March 2nd, 2016
CASE NO.: City BZA 02-16 V
LOCATION: 2814 Hulman Street, Terre Haute, IN 47803

PETITIONER: M & P Properties Group LLC
CONTACT: Richard J. Shagley II
ADDRESS: 500 Ohio St. PO Box 9849, Terre Haute, IN 47808

REQUEST: M & P Properties Group LLC, the owner of the property located 2814 Hulman Street has submitted a petition from Section 10-187 to reduce the required minimum lot size per dwelling unit in an R-2 Two-Family Residence Zoning District.

REPORT SUMMARY:

M & P Properties Group LLC, is the owner of a 5.19 acre parcel located on the northwest corner of South 29th Street and Hulman Street. The property is currently zoned R-1, Single-Family Residence and application has been submitted to rezone this parcel from R-1, Single-Family Residence to R-2, Two-Family Residence. The Petitioner is looking to develop this 5.19 acre tract of land into a 17 lot Two-Family Subdivision. Lots 1 through 3 will have direct access onto Putman Street, while lots 4 through 7 will have direct access onto 29th Street. Lots 8 through 16 will have direct access onto a dedicated public street (unnamed at this time) with a right-of-way width of 60 ft. and a pavement width of 24 ft. Lot 17 will be unbuildable and will serve as the storm water retention basin.

The variance application that has been submitted is a request to reduce the required minimum lot area for the 16 buildable lots within the proposed R-2, Two-Family Subdivision known as the M & P Subdivision. The Vigo County Area Plan Commission has the sole authority of directing the development pattern for all of Vigo County including the incorporated areas. The Subdivision Control Ordinance for Vigo County specifies in Section 10 Lot Specification 1, b. that the layout of new plats shall conform to any local zoning ordinances, building and housing codes, and all other applicable laws of the appropriate jurisdictions in effect.

The petitioner is seeking a variance to reduce the required 6,600 Sq. Ft. minimum lot area per dwelling unit or 13,200 Sq. Ft. per duplex, to 3,300 Sq. Ft. of lot area per dwelling unit or 6,600 per Two-Family Dwelling. The Floor Area Ratio (F.A.R.) Table 8 (Exhibit A) specifies the minimum floor and lot area for all dwelling units within the City of Terre Haute. The City BZA has addressed the required minimum lot size for Duplex's and Two-Family dwellings numerous times. When looking at the F.A.R. Table (Exhibit A) one will see the required Floor Area for each dwelling unit (D.U.) in the middle column and the associated lot area in the right column for each dwelling unit (D.U.).

Let's start by looking at the Floor Area Ratio (FAR) Table 8 (Exhibit A) the required Floor Area Ratio and Minimum Lot Area and gather some facts on zoning classification and density. The R-1, Single-Family Residence District allows two different development density ratios one at 0.3 or 30% lot coverage with an associated lot area of 7,200 Sq. Ft. and a minimum dwelling floor area of 1,100 Sq. Ft. or 0.5 or 50% lot coverage with an associated lot area of 6,600 Sq. Ft. and a minimum dwelling floor area of 768 Sq. Ft. The R-2, Two-Family Residence District also has two different development density ratios one at .05 or 50% lot coverage with an associated lot area of 7,200 Sq. Ft. with a minimum floor area per dwelling unit of 512 Sq. Ft. or 0.7 or 70% lot coverage with an associated lot area of 6,600 Sq. Ft. and a minimum floor area per dwelling unit of 450 per dwelling unit.

Staff intentionally included the R-1 Development Densities to base a comparison, as we move to a more intensive residential zoning classification one would think the development would become denser as the number of dwelling unit increase per gross acre. This is not the case as the Floor Area Ratio and Minimum Lot size requires two times the lot area per duplex than a single family dwelling, so the facts show that an increase in density from R-1 to R-2 within the City of Terre Haute reduces Urban Density. Unlike the case for new suburban sprawl developments within the Vigo County urban fringe where each duplex has a minimum required lot area of 7,000 Sq. Ft. or 3,500 Sq. Ft. per unit. The note below Table 8 (Exhibit A) states no new Two-family dwelling in any district shall be less than 900 Sq. Ft. and associated lot shall be greater than 6,600 Sq. Ft. Using the Floor Area Ratio Table staff would advise a developer wanting to construct a duplex at the 70% density ratio, he or she would be required to have 900 Sq. Ft. of floor area (450 Sq. Ft. per unit) and 13,200 Sq. Ft. of lot area, (6,600 Sq. Ft. per unit) as outline in the table. What is really disquieting is the next table which is titled the Minimum Lot Area and Floor Area (for dwellings). In this table single family dwellings must have a minimum lot area of 5,500 Sq. Ft, and a Two-Family dwelling requires a minimum lot area of 6,600 Sq. Ft.

The Board may grant a Variance only upon written determination that:

- (1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

Staff Finding: Staff finds an approval will not be injurious to the public health, safety, morals, and general welfare of the community. The Comprehensive Zoning Ordinance for the City of Terre Haute implies two densities for 7,220 Sq. Ft. or 6,600 Sq. Ft. with one clause requiring 6,600 Sq. Ft. per unit or an alternative statement requiring 6,600 Sq. Ft. per Two-Family dwelling. The petitioners' average lot area for the 17 lots subdivision is 9,284 Sq. Ft. The smallest lot within the proposed development is 6,757 Sq. Ft., which is 157 Sq. Ft. greater than the minimums set by the F.A.R.

- (2) The proposed use will not injure or adversely affect the use or value of other property in the immediate area in a substantially adverse manner; and,

Staff Finding: Staff finds the use and value of the adjacent properties will not be affected in an adverse manner. Adequate light, space, and air are available to this site. The proposed development is consistent with the existing uses and densities that have been established within this area. Using the Section 26 Township 12 N. Range 9 W. as a unit of measurement to gauge the size of the established lot and parcels; the average lot area is 7508 Sq. Ft. and the average parcel area 9203 Sq. Ft. Using the average parcel area as the bases for comparison the petitioner average lot area is 81 Sq. Ft. larger than the average parcel within the section. Exhibits C and D are choropleth maps which depict a range of natural breaks within the dataset of lot and parcel sizes in Sq. Ft. Using the unit of measurement 93% of all the lots fall within the 1,358 to 10,062 Sq. Ft. break, and 66% of all the parcels fall within the 4,055 to 9,037 Sq. Ft break.

- (3) *The strict application of the terms of the ordinance would result in an unnecessary hardship in the use of the property*

Staff Finding: Staff finds there is a hardship created by the code. This hardship is a codification error, which lists the product of the requirement 6,600 Sq. Ft. not the factor 3,300 Sq. Ft. per dwelling unit (D.U). All 16 buildable lots exceed the minimum 6,600 Sq. Ft. Taking the gross lot area of 157,826 within the subdivision and using the minimums lot size requirements from **Exhibit B**, the petitioner could build 29 single-family dwelling with a 5,500 Sq. Ft. lot and 24 duplex's at 6,600 Sq. Ft. at total of 48 units. The petitioners' propose lots are above the required minimum lot area and the small unit proposed is twice the required floor area per dwelling unit as required by code.

RECOMMENDATION: Staff offers a favorable recommendation on the variance request. Staff will work with the City Legal Department and City Council to resolve this issue within the text of the Comprehensive Zoning Ordinance for the City of Terre Haute.

Vigo County Subdivision Control Ordinance Chapter 10, Lot Specifications A. 1, b.

A. General Requirements.

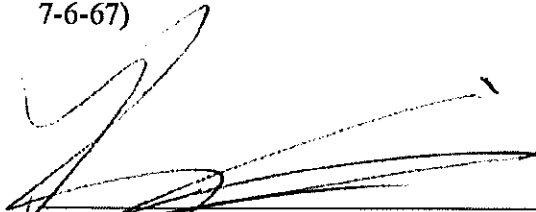
- 1. Plats.** In addition to the requirements established herein, all subdivision plats shall comply with the following rules, laws, and regulations:
 - a.** All applicable statutory provisions;
 - b.** Any local zoning ordinances, building and housing codes, and all other applicable laws of the appropriate jurisdictions in effect;

City of Terre Haute Comprehensive Zoning Ordinance development standards for Residential Land Uses

Sec. 10-185 Floor Area Ratio, Maximum. The floor area ratio for a building on a lot shall be calculated as defined in Sec. 10-136 h. and shall be limited by the F.A.R. District in which said lot is incorporated as shown on the zoning maps. Any principal building F.A.R. factor may be less than or equal to the F.A.R. District in which it is located but may not exceed said factor. (Ord. No. 1, 1967, § 1131.06, 7-6-67)

Sec. 10-186 Floor Area, Minimum. See Table 8 in Appendix. (Ord. No. 1, 1967, § 1131.07, 7-6-67)

Sec. 10-187 Lot Size Minimum. See Table 8 in Appendix. (Ord. No. 1, 1967, § 1131.08, 7-6-67)



Ryan G. Wickens
Vigo County
Department of Area Planning
812-462-3354

Exhibit A

80	0.24
100 and Above	0.50

TABLE 8

iv) Zoning and Subdivision Regulations

Minimum Lot and Floor Area Requirements (for dwellings)			
Zone	F.A.R.	Floor Area/D.U. in Square Feet	Min. Lot Area/D.U. in Square Feet
R-1	0.3	1100	7200*
	0.5	768	6600*
R-2	0.5	512	7200*
	0.7*	450	6600*
R-3	0.7	512	1000
	2.0	512	500
	4.0	450	500
	6.0	384	100
	8.0	384	100
R-T	0.3	181	4000
C-1	0.5	768 (Only when accessory to commercial)	3300
C-6	0.7	768	3300
	0.9	768	3300
C-2	ALL	No New Dwelling Units Permitted	
C-3	0.9	512 (Only when accessory to commercial)	1000
	2.0	512	1000
C-4	ALL	No New Dwelling Units Permitted	
C-5	0.9	288 Apartment Units Only	NONE
	2.0	288	NONE
	6.0	288	NONE
	10	288	NONE
M-1, M-2 M-P	ALL	No New Dwelling Units Permitted	
O-1	ALL	No New Dwelling Units Permitted	
O-2	0.1	1200	43,560 (1 ACRE)

***Since 1970**

NOTES: No new single family dwelling in any district shall be less than 768 square feet and associated lots shall be greater than 6600 sq. ft. No new two-family dwelling in any district shall be less than 900 sq. ft. and associated lot shall be greater than 6600 sq. ft.

All floor area listed in this table is the net livable area per D.U.

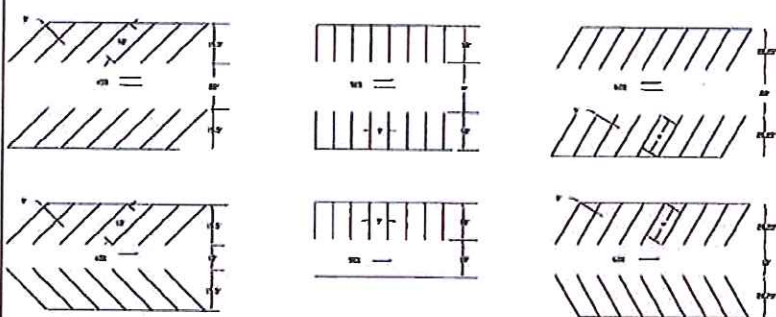
Exhibit B

MINIMUM LOT AND FLOOR AREA REQUIREMENTS (FOR DWELLINGS)

Lot width, depth and area shall be at or above the following minimums:

Type of Development	Both Sewer * Public Water Available to be Used	Neither Sewer nor Public Water Available	Sewer Only	Public Water Only
Single-Family	50' A.L.W.* 5,500 Sq. Ft.	100' A.L.W.* 20,000 Sq. Ft.	60' A.L.W.* 10,000 Sq. Ft.	90' A.L.W.* 20,000 Sq. Ft.
Two-Family	50' A.L.W.* 6,600 Sq. Ft.	110' A.L.W.* 22,000 Sq. Ft.	70' A.L.W.* 10,000 Sq. Ft.	100' A.L.W.* 20,000 Sq. Ft.

*A.L.W. - Average Lot Width

Exhibit "A"					
TABLE 9					
Size of Required Parking Spaces & Aisles.					
					
Parking Angle	Parking Space Width	Parking Space Length	Aisle	Single Loaded Module Width	Double Loaded Module Width
Parallel	8.0	22.0	12.0/22.0*	20.0/30.0*	28.0/38.0*
0°-45°	8.5	18.0	12.0/22.0*	51.5/41.5*	51.0/61.0*
46°-60°	9.0	18.0	15.0/22.0*	35.25/42.25*	55.5/62.25*
61°-90°	9.0	18.0	18.0/24.0*	36.0/60.0*	51.25*
Two-Way Traffic Authorized					
*Note: Required parking for stall angles other than those contained in the above table may be interpolated from the table.					
*Note: For purposes of measurement, drives with parking on one side only shall be considered as one-way drives.					

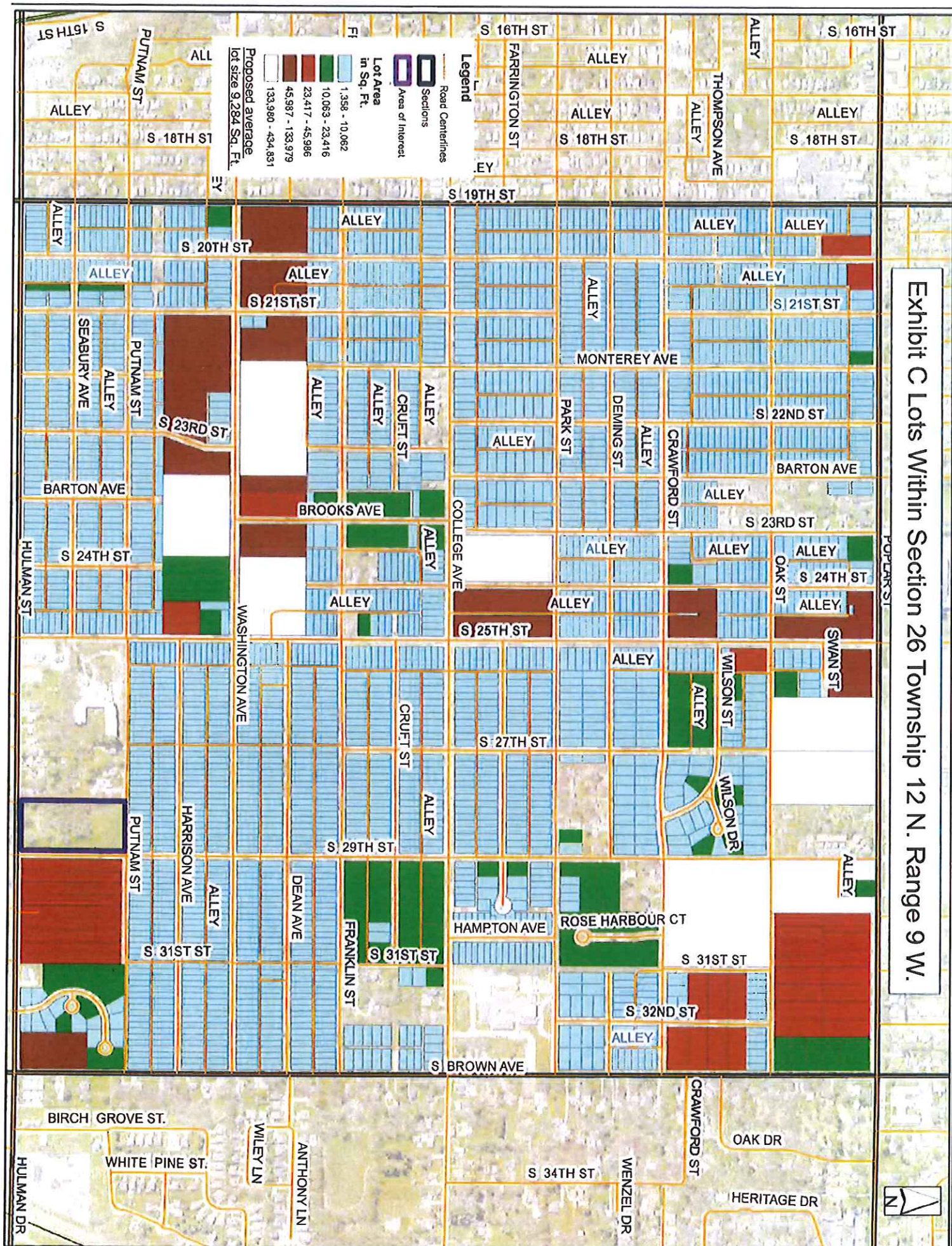
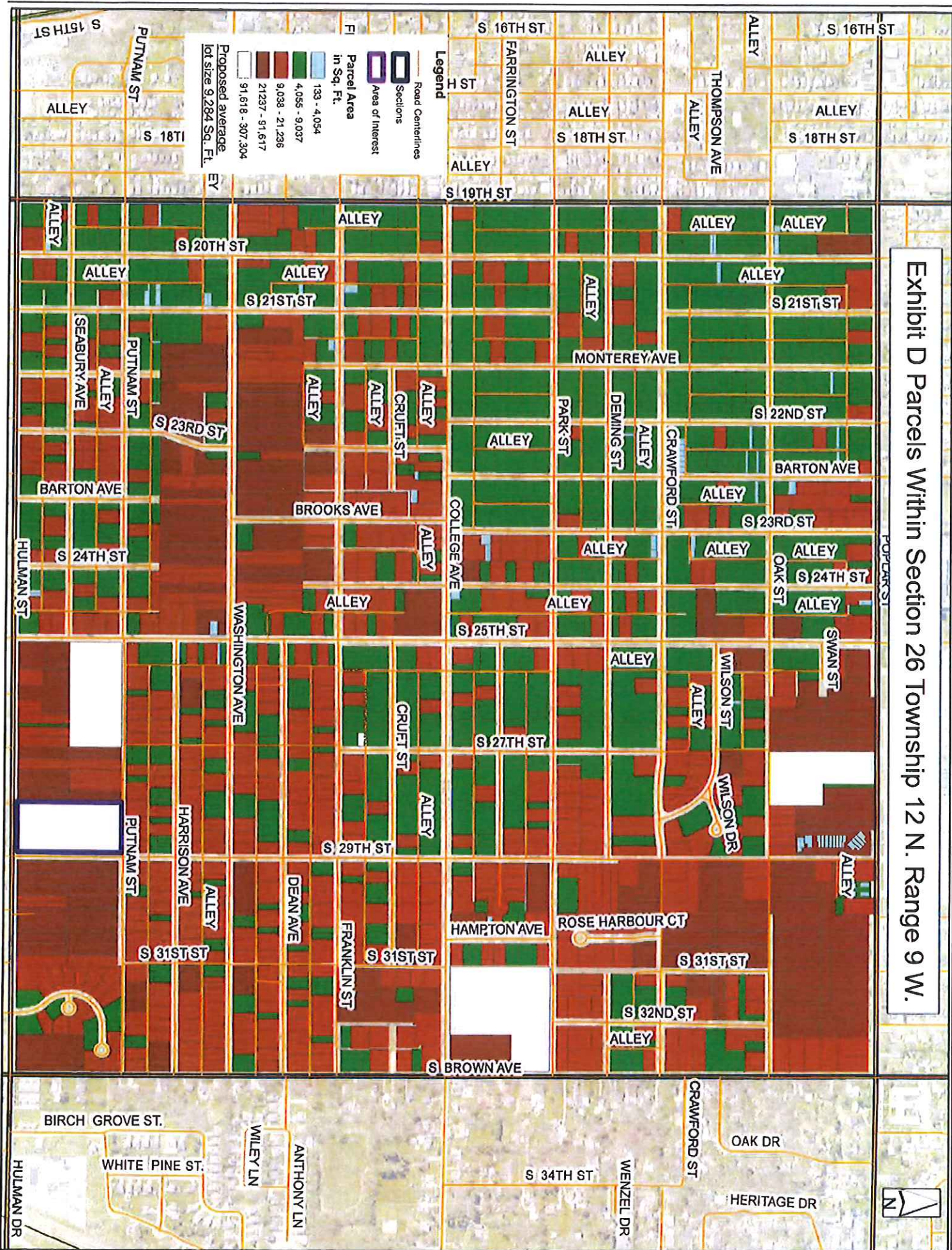
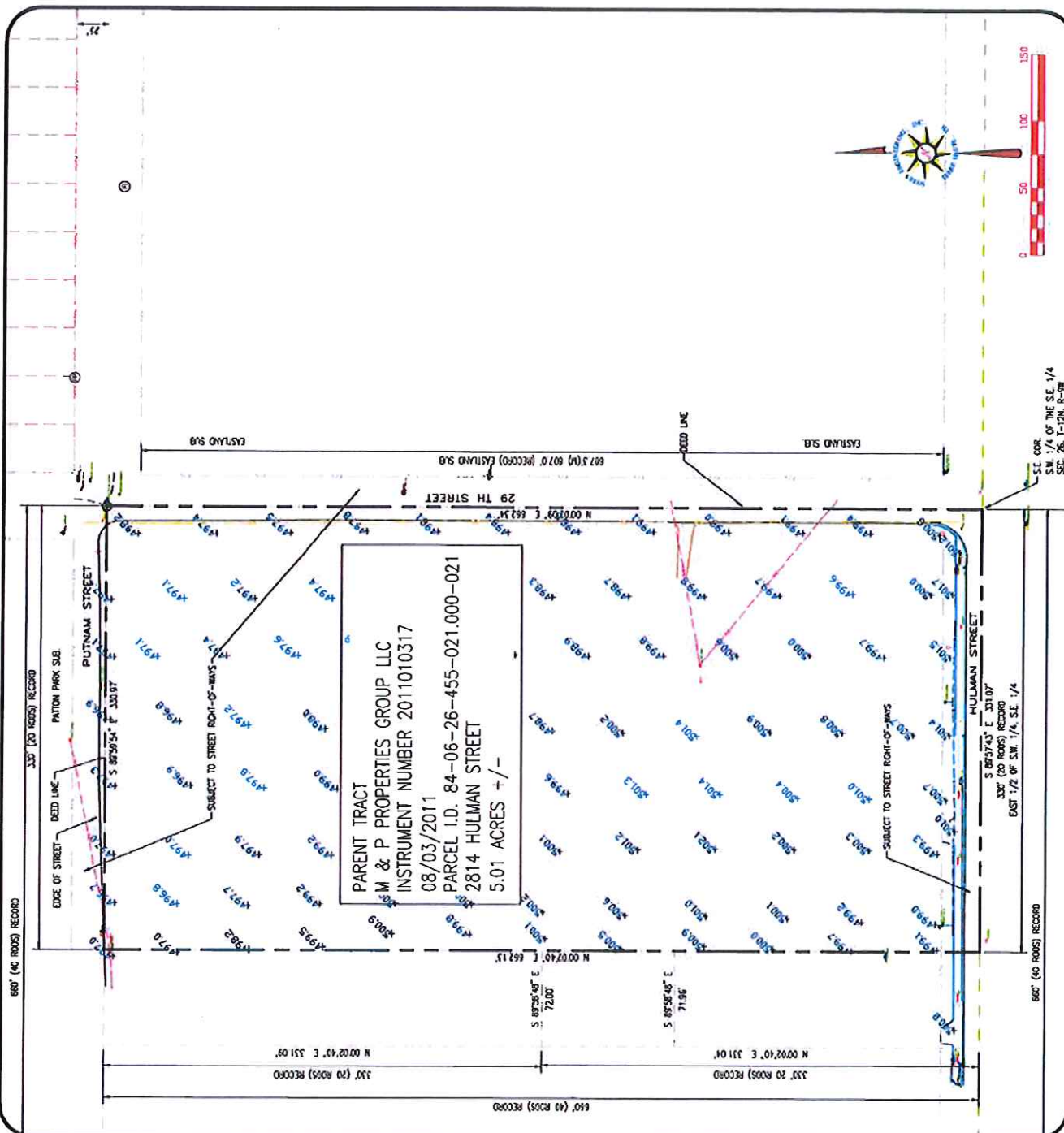


Exhibit D Parcels Within Section 26 Township 12 N. Range 9 W.



M & P Subdivision

Part of the Southwest quarter of the
Southeast quarter of Section 26,
Township 12 North, Range 9 West, Vigo
County, Terre Haute, Indiana



1000

THE UNIVERSITY OF MICHIGAN LIBRARY

M & P Subdivision

Part of the Southwest quarter of the
Southeast quarter of Section 26,
Township 12 North, Range 9 West, Vigo
County, Terre Haute, Indiana

BULK DENSITY STATISTICS

32 DWELLING UNITS / 716 BUILDINGS TOTAL
(20) 280' x 120' = 33,600 SF
(4) 280' x 140' = 39,200 SF
(8) 280' x 160' = 44,800 SF
TOTAL = 117,600 SF

F.A.R. (FLOOR AREA RATIO)
TOTAL DWELLINGS/NET BUILDABLE
= 48,064 SF / 70,228 SF = 0.684 (WITHIN CODE)
MAX ALLOWED IS 0.7 OR 49,160 SF

EXISTING
PROPOSED PUBLIC STREET R.O.W. = 33,600 SF
EXISTING STREETS R.O.W. = 34,650 SF
DRAINAGE/UTILITY = 87,250 SF
NET BUILDABLE = 70,228 SF (AREA INSIDE SETBACKS)
TOTAL = 226,411 SF (5.19 ACRES)

BUILDING SETBACKS MINIMUM PER CODED, NO VARIANCE REQUIRED
25 FT. FRONT (FROM STREET R.O.W.)
5 FT. SIDES
11 FT. REAR

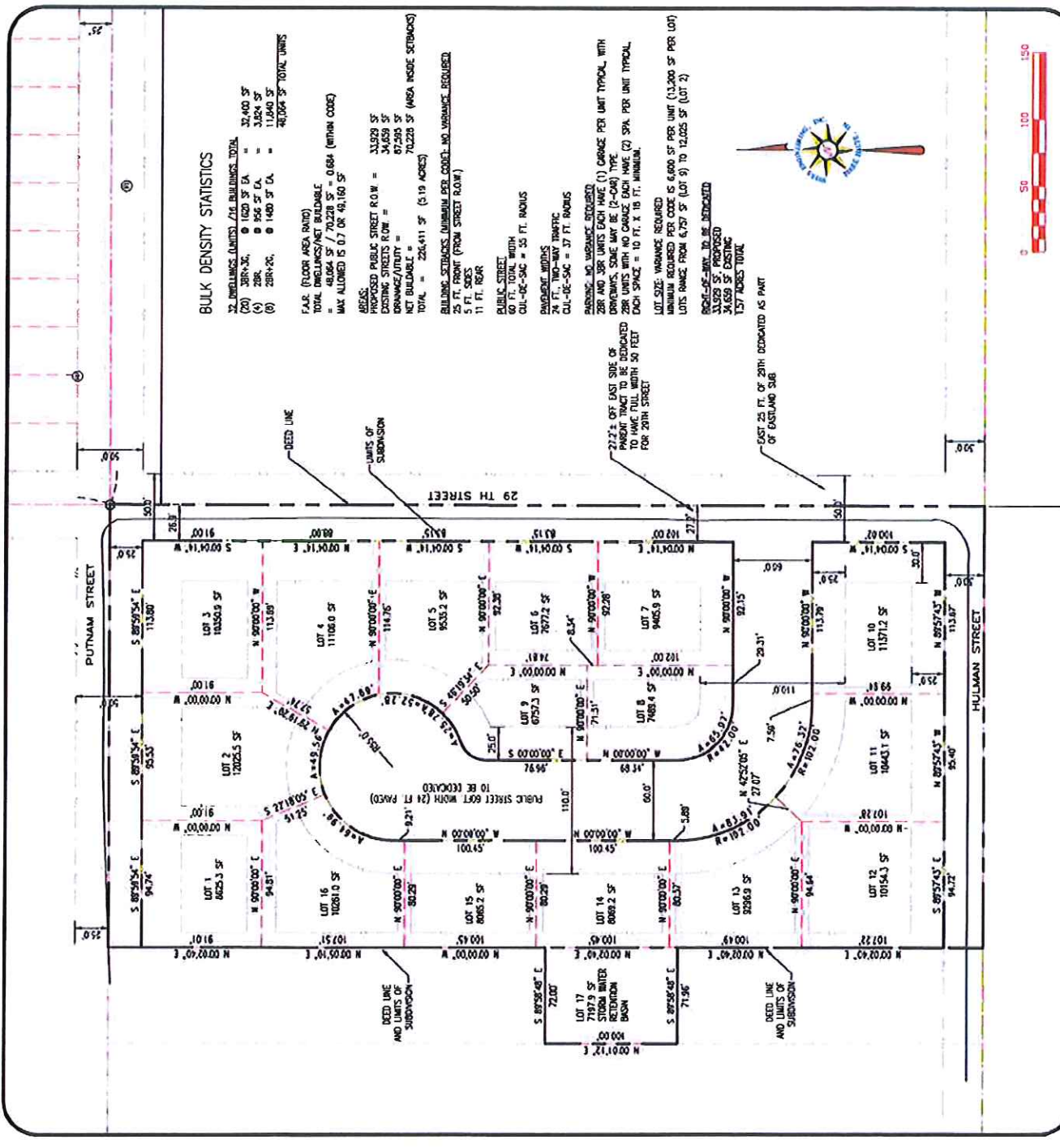
PUBLIC STREET
60 FT. TOTAL WIDTH
CUL-DE-SAC = 55 FT. RADIUS
24 FT. TRAVEL LANE
CUL-DE-SAC = 37 FT. RADIUS

PARKING: NO VARIANCE REQUIRED
288 AND 388 UNITS EACH HAVE (1) GARAGE PER UNIT TYPICAL, WITH
DRAWINGS, SOME MAY BE (2-CAR) TYPE
288 UNITS WITH NO GARAGE EACH HAVE (2) SPA, PER UNIT TYPICAL.
EACH SPACE = 10 FT. X 18 FT. MINIMUM.

LOT SIZE: VARIANCE REQUIRED
MINIMUM REQUIRED PER CODE IS 6,800 SF PER UNIT (13,200 SF PER LOT)
LOTS RANGE FROM 6,757 SF (LOT 9) TO 12,025 SF (LOT 2)

ROOF-TO-RATE TO BE REDUCED
33,600 SF PROPOSED
34,650 SF EXISTING
12,377 ACRES TOTAL

EAST 25 FT. OF 20TH DEDICATED AS PART
OF EASTLAND SUB



2814 Hulman Street



200 West Main Street, Suite 200
Terre Haute, Indiana 47802
Phone: (317) 233-2071
Fax: (317) 233-2072
http://www.myers-inc.com

DATE: 12/12/12 BY: CHECKED: 12/12/12

CLIENT: 12/12/12

RECORDS: 12/12/12

RECORDS: 12/12/12

RECORDS: 12/12/12

RECORDS: 12/12/12

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RECORDS: 12/12/12

M & P Subdivision
Record Plat

DRAWN BY	12/12/12	DATE	12/12/12
CHECKED BY	12/12/12	PROJECT NUMBER	12/12/12
APPROVED BY	12/12/12	FILE NAME	12/12/12
SCALE	12/12/12	DRAWING NAME	12/12/12

DO NOT SCALE PRINT

2000 AND 2001 WERE COPY OF THE SUBDIVISION OF STREETS. THE DRAWING AND ALL THE EXTENDED UNITS ARE THE PROPERTY OF MYERS ENGINEERING, INC.

M & P Subdivision

Part of the Southwest quarter of the
Southeast quarter of Section 26,
Township 12 North, Range 9 West, Vigo
County, Terre Haute, Indiana

BULK DENSITY STATISTICS

22 DWELLING UNITS / 1.16 BUILDINGS TOTAL
(20) 28R+2C 1520 SF EA = 30,400 SF
(4) 28R 940 SF EA = 3,760 SF
(0) 28R+2C 1480 SF EA = 11,840 SF
TOTAL = 46,000 SF TOTAL UNITS

F.A.R. (FLOOR AREA RATIO)
TOTAL DWELLINGS/NET BUILDABLE
= 46,000 SF / 70,228 SF = 0.656 (WITH CODE)
MAX ALLOWED IS 0.7 OR 49,160 SF

AREAS:
PROPOSED PUBLIC STREET ROW = 33,920 SF
EXISTING STREETS ROW = 34,520 SF
DRAINAGE/UTILITY = 87,595 SF
NET BUILDABLE = 70,228 SF (AREA INSIDE SETBACKS)
TOTAL = 226,411 SF (5.19 ACRES)

BUILDING SETBACKS MINIMUM PER CODE: NO VARIANCE REQUIRED
25 FT. FRONT (FROM STREET ROW)
5 FT. SIDES
11 FT. REAR

PUBLIC STREET
60 FT. TOTAL WIDTH
CUL-DE-SAC = 55 FT. RADIUS
PAVEMENT WIDTH
24 FT. TWO-WAY TRAFFIC
CUL-DE-SAC = 37 FT. RADIUS

PARKING: NO VARIANCE REQUIRED
28R AND 28R+2C UNITS EACH HAVE (1) GARAGE PER UNIT TYPICAL WITH
DRIVWAYS. SOME MAY BE (2-CAR) TYPE
28R UNITS WITH NO GARAGE EACH HAVE (2) SPA. PER UNIT TYPICAL.
EACH SPACE = 10 FT. X 18 FT. MINIMUM

LOT SIZE: VARIANCE REQUIRED
MINIMUM REQUIRED PER CODE IS 6,000 SF PER UNIT (13,200 SF PER LOT)
LOTS RANGE FROM 6,757 SF (LOT 8) TO 12,025 SF (LOT 3)



2814 Hulman Street



Myers Engineering, Inc.
200 West 10th Street, Suite 200
Terre Haute, Indiana 47807
Phone (717) 234-0271
Fax (717) 234-0272
www.myers-engineering.com

DATE	NO.	BY	REVISION
08/08	001	BY	08/08
08/08	002	BY	08/08
08/08	003	BY	08/08
08/08	004	BY	08/08
08/08	005	BY	08/08
08/08	006	BY	08/08
08/08	007	BY	08/08
08/08	008	BY	08/08
08/08	009	BY	08/08
08/08	010	BY	08/08

M & P Subdivision
Site Plan

DATE	NO.	BY	REVISION
08/08	001	BY	08/08
08/08	002	BY	08/08
08/08	003	BY	08/08
08/08	004	BY	08/08
08/08	005	BY	08/08
08/08	006	BY	08/08
08/08	007	BY	08/08
08/08	008	BY	08/08
08/08	009	BY	08/08
08/08	010	BY	08/08

DO NOT SCALE PRINT

BOUND AND SIGNED AND COPY OF THE SUBDIVISION OF SPACE. HAS DRAWING AND SET OF APPROVED UNITS AND SETBACKS OF UNITS. SUBDIVISION, INC.

Lot 1	8625 sf
Lot 2	12025 sf
Lot 3	10350 sf
Lot 4	11106 sf
Lot 5	9535 sf
Lot 6	7677 sf
Lot 7	9405 sf
Lot 8	7489 sf
Lot 9	6757 sf
Lot 10	11371 sf
Lot 11	10443 sf
Lot 12	10154 sf
Lot 13	9297 sf
Lot 14	8069 sf
Lot 15	8065 sf
Lot 16	10261 sf
Lot 17	7197 sf Non-buildable - storm water retention

9284

 sf avg



Receipt

The following was paid to the City of Terre Haute, Controller's Office.

Date: 2/3/16

Name: Wright, Shagley & Lowery

Reason: M&P Properties Variance

TERRE HAUTE, IN
PAID

Cash: _____

Check: 30.00

Credit: _____

FEB 03 2016

CONTROLLER

✓


TERRE HAUTE
A LEVEL ABOVE
Board of Zoning Appeals
CITY OF TERRE HAUTE, INDIANA

APPLICATION IS HEREBY MADE TO THE BOARD OF ZONING APPEALS FOR VARIANCE(S) AND SPECIAL USES(S) AS FOLLOWS:

Building Line Setback: _____
Off-Street Parking Spaces: _____
Other Variance(s), or Special Use(S): Minimum Lot Size Variance
Location: 2814 Hulman Street, Terre Haute, IN 47803
Sketch Attached: Yes
Official Description of Property (From Deeds): See attached Deeds
Lot Number(s): _____
Block Number: N/A
Subdivision: N/A
Quarter Section: 26 Township: 12 Range: 9
Present Use Zoning: R-1 Single Family Residence District
Proposed Use Zoning: N/A
Owners of Property: M & P Properties Group LLC
Lot Dimensions: Width _____ Depth _____ Area _____ sq ft (on Site Plan)
Structure Size: _____
Structure Area: _____ sq ft Storage _____ Height: _____
B/L Setbacks: Street _____ Interior _____ Rear _____ Accessory _____

Petitioner Seeks Variance(s) or Special Use(s) for the following reason(s): Requests a variance from the required minimum lot size of 13,200 square feet to an average lot minimum lot size of 9284 square feet as shown by the attached Exhibit "A".
Petitioner does not believe this will cause a problem due to benefits the proposed construction will bring to the area.

Respectfully submitted this _____ day of February, 2016.

M & P Properties Group, LLC

By: 
Mike Pick, Member

CONTACT

Richard J. Shagley II
Wright, Shagley & Lowery, P.C.
500 Ohio St., PO Box 9849
Terre Haute, IN 47808
(812) 232-3388

Vigo County Area Planning Dept.
159 Oak Street
Terre Haute, IN 47807
(812) 462-3354

Note: The property owner is responsible for determining if "Subdivision Covenants" or "Deed Restrictions" are greater than the Zoning Ordinance Regulations and that Board approval for variances on any requirement of the Zoning Regulations DOES NOT release the property owner from compliance with those covenants or restrictions.

WARRANTY DEED



THIS INDENTURE WITNESSETH, MELINDA D. MYERS and RANDALL ROY MYERS, competent adults,
("Grantors") of Brazoria County, Texas, and Norfolk City County, Virginia, respectively, CONVEY
AND WARRANT to M & P PROPERTIES GROUP LLC, ("Grantee") for the sum of One and no/100 Dollars (\$1.00) and
other valuable consideration, the receipt of which is hereby acknowledged, an undivided one-half (1/2) interest in and to
the following described real estate in Vigo County, in the State of Indiana:

The East half (1/2) of the following described parcel of land, to-wit: Commencing at a point
on the South line of the Southeast Quarter of Section Number Twenty-six (26) in Township
Number Twelve (12) North of Range Nine (9) West, forty (40) rods East of the Southwest
corner of said quarter section, running thence North forty (40) rods, thence East forty (40)
rods, thence South forty (40) rods to the South line of said quarter section, thence West forty
(40) rods along said line to the place of beginning.
(common address - 2814 Hulman Street, Terre Haute, IN 47803)

Subject to easements, leases, rights of way, and other matters of record.

SUBJECT to real estate taxes prorated to date of deed.

IN WITNESS WHEREOF, the Grantors have executed this deed this 8 day of July, 2011.

Melinda D. Myers
Melinda D. Myers
Randall Roy Myers
Randall Roy Myers

VIGO COUNTY AUDITOR
JAMES M. SLOAN

AUG 03 2011

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

STATE OF TEXAS

COUNTY OF Brazoria

)
) SS:
)

Before me, a Notary Public in and for said County and State, personally appeared Melinda D. Myers, a competent
adult, who acknowledged the execution of the foregoing Warranty Deed, and who having been duly sworn stated that any
representations therein contained are true.

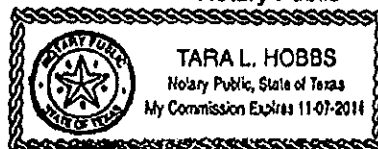
Witness my hand and Notarial Seal this 8th day of July, 2011.

My Commission Expires

November 2, 2014
Resident of Brazoria County, TX

Tara L. Hobbs
Notary Public

STATE OF Virginia



COUNTY OF Norfolk City) SS:

Before me, a Notary Public in and for said County and State, personally appeared Randall Roy Myers, a competent adult, who acknowledged the execution of the foregoing Warranty Deed, and who having been duly sworn, stated that any representations therein contained are true.

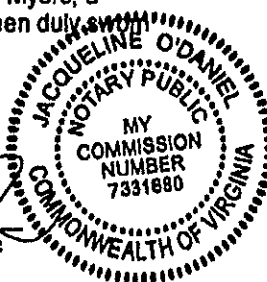
Witness my hand and Notarial Seal this 14th day of July, 2011.

My Commission Expires

January 31, 2015

Resident of Virginia Beach County, Virginia

Jacqueline O'Daniel
Notary Public



This instrument was prepared by Patrick L. Duffy, BAUER & DUFFY, 605 Ohio Street, Suite 301, Terre Haute, Indiana, 47807

Send Tax Statements to: 3396 Golfview Ct., Terre Haute, IN 47802
Grantees address: same

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

[Signature]

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

AUG 03 2011

2011010318 PD \$18.00
08/03/2011 11:23:48A 1 PGS
NANCY S. ALLSUP
VIGO County Recorder IN
Recorded as Presented

Timothy M. Spencer
VIGO COUNTY AUDITOR

PERSONAL REPRESENTATIVE'S DEED

PATRICK L. DUFFY, as Co-Personal Representative of the Estate of MARIE G. ZENOR, , deceased, by order of the Vigo Superior Court, under Cause No. 84D02-1105-ES-4001, dated the 24th day of June, 2011, and for good and sufficient consideration, conveys to M & P PROPERTIES GROUP LLC, an undivided one-half (1/2) interest in and to the following described real estate in Vigo County, State of Indiana, to-wit:

The East half (1/2) of the following described parcel of land, to-wit: Commencing at a point on the South line of the Southeast Quarter of Section Number Twenty-six (26) in Township Number Twelve (12) North of Range Nine (9) West, forty (40) rods East of the Southwest corner of said quarter section, running thence North forty (40) rods, thence East forty (40) rods, thence South forty (40) rods to the South line of said quarter section, thence West forty (40) rods along said line to the place of beginning.
(common address - 2814 Hulman Street, Terre Haute, IN 47803)

Subject to easements, leases, rights of way, and other matters of record.

SUBJECT to real estate taxes prorated to date of deed.

Grantor states that the Estate of Marie G. Zenor, deceased, is not subject to Federal Estate Tax and sufficient assets are available to pay the Indiana Inheritance Tax.

IN WITNESS WHEREOF, the said Patrick L. Duffy, as Co-personal Representative of the Estate of Marie G. Zenor, deceased, has hereunto set his hand and seal this 13th day of July, 2011.

Patrick L. Duffy, Co-Personal Representative
of the Estate of Marie G. Zenor, Deceased

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

Before me, a Notary Public in and for said County and State, personally appeared Patrick L. Duffy, Co-personal Representative of the Estate of Marie G. Zenor, deceased, who acknowledged the execution of the foregoing Personal Representative's Deed to be his voluntary act and deed.
WITNESS my hand and Notarial Seal this 12th day of July, 2011.

My Commission Expires: June 15, 2016
Resident of Vigo County, IN

Mary E. Faige, Notary Public

EXAMINED AND APPROVED IN OPEN COURT THIS 13 DAY OF 2011.

JUDGE, VIGO SUPERIOR COURT

This instrument prepared by: Patrick L. Duffy, BAUER & DUFFY, 605 Ohio Street, Suite 301, Terre Haute, IN 47807

Send tax statements to: 339 1/2 Hollywood Ct, Terre Haute, IN 47802

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

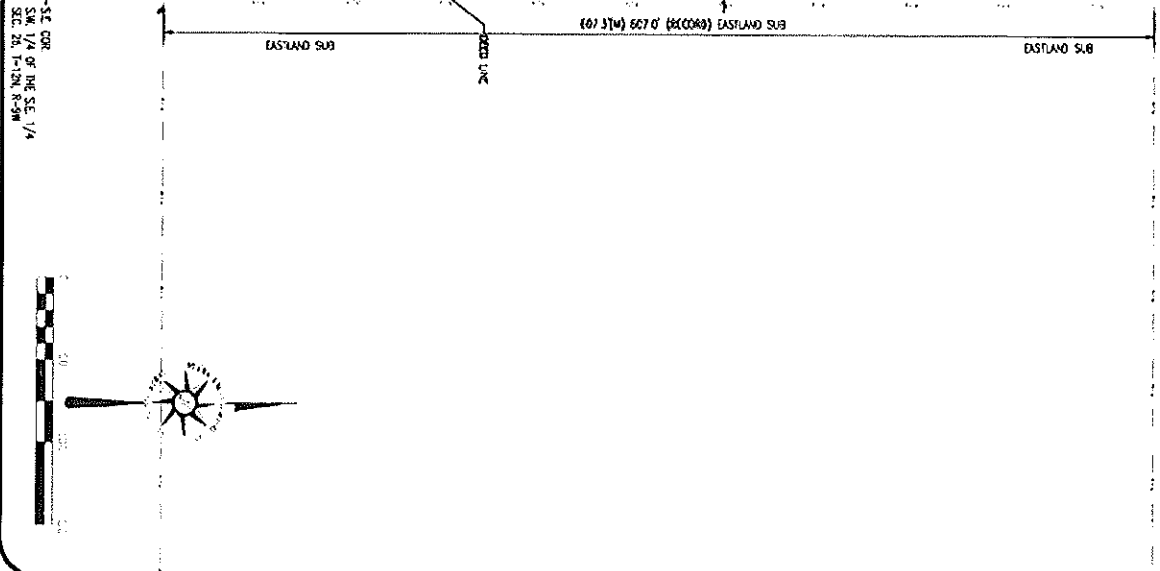
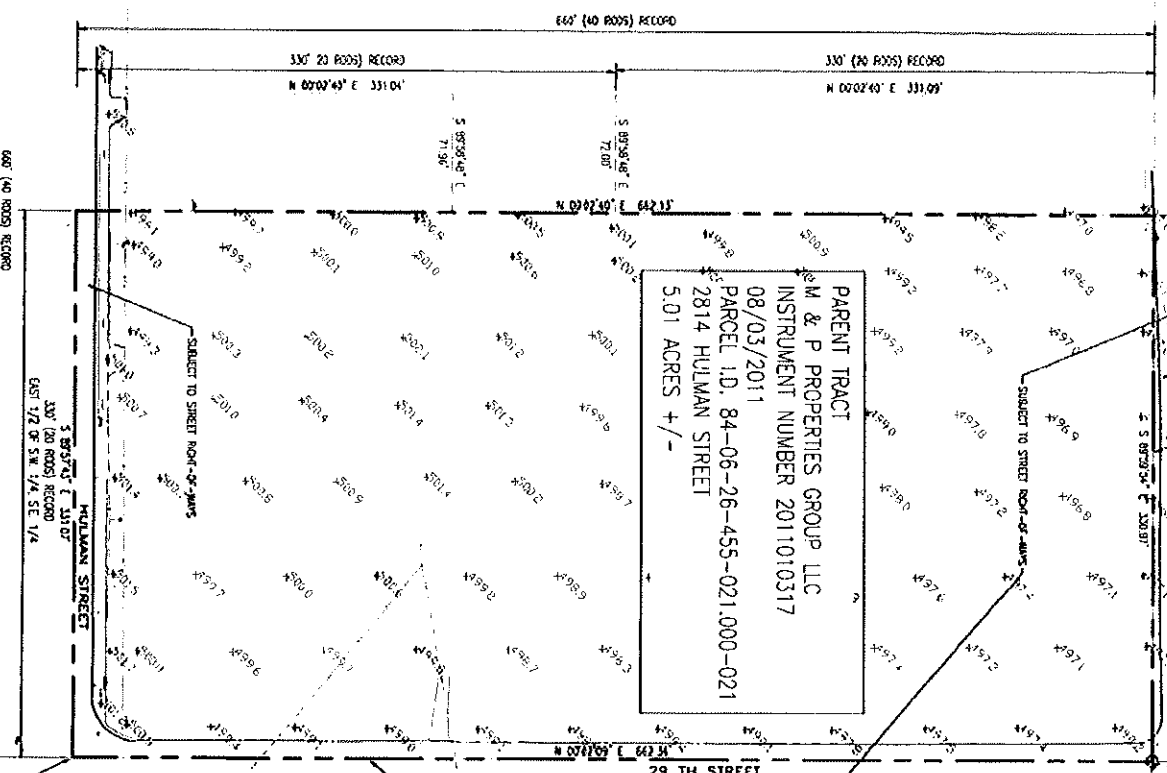
200

660' (40 ROSS) RECORD

330' (20 ROSS) RECORD

EDGE OF STREET
DEED LNK
PATTON PARK SUB
PUTNAM STREET

PARENT TRACT
M & P PROPERTIES GROUP LLC
INSTRUMENT NUMBER 2011010317
08/03/2011
PARCEL 1D, 84-06-26-455-021.000-021
2814 HULMAN STREET
5.01 ACRES +/-



M & P Subdivision

Part of the Southwest quarter of the
Southeast quarter of Section 26,
Township 12 North, Range 9 West, Vigo
County, Terre Haute, Indiana

2814 Hulman Street



ENGINEERING, INC.

20 West Long Creek Drive
Terre Haute, Indiana 47787
Phone: 812-233-1311
Fax: 812-233-1312
http://www.mypmyers.com

DATE	NO.	REVISIONS	BY	REASON

M & P Subdivision
Existing Conditions

DATE	BY	DATE	BY

DO NOT SCALE PRINT

3000' AND SHALL HAVE 20% & 10% RESERVE OF SPACE. THIS DRAWING AND SET OF SPECIFICATIONS SHALL BE THE PROPERTY OF M&P ENGINEERING, INC.

Part of the Southwest quarter of the
Southeast quarter of Section 26,
Township 12 North, Range 9 West, Vigo
County, Terre Haute, Indiana

[illegible]

CITY OF TERRE HAUTE BOARD OF ZONING APPEALS

Terre Haute, Indiana 47807

Bill Treadway, Chairman
Paul Clapp, Vice-Chairman/Secretary
Jeff Ford, Member
John Collett, Member
Jason Saavedra, Member

There will be a meeting of the Terre Haute City Board of Zoning Appeals at 9:00 a.m. on Wednesday March 2nd, 2016. The meeting will be held in the Administrative Conference Room located in the Vigo County Commissioners Office located in the Vigo County Annex Building at 650 South 1st street, Terre Haute, IN 47807.

AGENDA

- A. Call to Order
- B. Roll Call
- C. Consideration of Previous Minutes, for the February 3rd.
- D. Old Business
No Old Business
- E. New business
BZA Case 02-16 V. 2814 Hulman Street
M & P Properties Group LLC.
- F. Communication Received From The Public (other than agenda items)
No outside communication received
- G. Board of Zoning Appeals Discussion
- H. Adjournment_____

Paul Clapp, Secretary

If questions, please contact the Vigo County Area Planning Department at 462-3354 or e-mail at ryan.wickens@vigocounty.in.gov



**CITY OF TERRE HAUTE BOARD OF ZONING APPEALS
Terre Haute, Indiana 47807**

Bill Treadway, Chairman
Paul Clapp, Vice-Chairman/Secretary
Jeff Ford, Member
John Collett, Member
Jason Saavedra, Member

Date: February 8, 2016

LEGAL ADVERTISING DEPARTMENT TRIBUNE-STAR PUBLISHING CO.
222 S. 7th STREET
TERRE HAUTE, INDIANA, 47807

To Whom It May Concern:

Please publish the following legal ad February 11th, 2015. Bill to City of Terre Haute Board of Zoning Appeals and mail to: Area Planning Department, 159 Oak Street, Terre Haute, IN 47807.

City of Terre Haute Board of Zoning Appeal

NOTICE IS HEREBY GIVEN THAT THERE WILL BE A PUBLIC HEARING BEFORE THE CITY OF TERRE HAUTE BOARD OF ZONING APPEALS, IN THE ADMINISTRATIVE CONFERENCE ROOM LOCATED IN THE VIGO COUNTY COMMISSIONERS OFFICE LOCATED IN THE VIGO COUNTY ANNEX BUILDING AT 650 SOUTH 1ST STREET. BEGINNING AT 9:00 A.M. ON MARCH 2ND, 2015 FOR THE FOLLOWING CASE(S);

City BZA 02-16 V.

M & P Properties Group LLC, owner of property located 2814 Hulman Street has submitted a petition from Section 10-187 to reduce the required minimum lot size per dwelling unit in an R-2, Two-Family Residence Zoning District.